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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/675,828 | 09/29/2000 | Thomas J. Cummins | CDS-266 | 1041 |

7590 09/20/2002

Philip S. Johnson, Esq.
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New Brunswick, NJ 08933-7003

EXAMINER

STRZELECKA, TERESA E

| ART UNIT | PAPER NUMBER |
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1637

DATE MAILED: 09/20/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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Commissioner of Patents and Trademarks

The reply filed on August 13, 2002 (in response to the Notice of Non-Compliant Amendment of July 24, 2002) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

- a) Amendment filed on June 14, 2002, in which parts of the specification and claims 33 and 36 were amended, was non-compliant because it did not contain the marked-up version of the changes to specification and did not contain the clean version of the changes made to claims. Consequently, the amendment was not entered, i.e. neither the specification nor the claims were amended. In addition, the Applicants arguments were not considered.
- b) The current reply contained clean and marked-up versions of the specification changes, but did not include the clean and marked-up versions of the claims. Therefore, if Applicants desire to include amendments to the claims and to the specification to be entered, a reply to this notice should contain clean and marked-up versions of both the claims and the specification. The arguments, as provided in the non-compliant amendment, should also be included in the response.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Teresa E Strzelecka whose telephone number is (703) 306-5877. The examiner can normally be reached on M-F (8:30-5:30). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached at (703) 308-1119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 305-3014 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

TS 9/18/02

Kenneth R. Horlick
KENNETH R. HORLICK, PH.D.
PRIMARY EXAMINER

9/18/02